

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 09-10085

U. S. COURT OF APPEALS
FILED

GLENN WINNINGHAM, House of Fearn

MAR 04 2009

Plaintiff - Appellant

CHARLES R. FULBRUGE III
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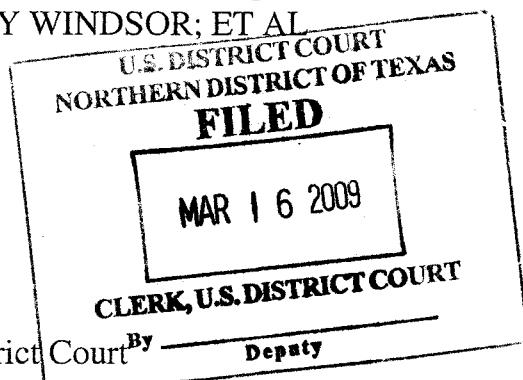
v.

THE CROWN; THE QUEEN IN RIGHT OF INC; HER MAJESTY THE QUEEN
INC; REGINA INC; ELIZABETH ALEXANDRA MARY WINDSOR; ET AL

Defendants - Appellees

Appeal from the United States District Court
for the Northern District of Texas at Dallas

USDC No. 3:08-CV-1204



Before KING, STEWART, and SOUTHWICK, Circuit Judges.

PER CURIAM:

Pursuant to 28 U.S.C. § 2107(b) and Federal Rule of Appellate Procedure 4(a)(1)(B), the notice of appeal in a civil action in which the United States or its officer or agency is a party must be filed within 60 days of entry of the judgment or order from which appeal is taken. In this action alleging violations of civil rights by, among others, several United

States government officials, the district court entered final judgment dismissing the complaint on November 17, 2008. Therefore, the notice of appeal had to be filed on or before January 16, 2009. The appellant filed his notice of appeal on January 26, 2009. The time limit for filing a notice of appeal in a civil case is jurisdictional. *Bowles v. Russell*, 551 U.S. 205, ___, 127 S. Ct. 2360, 2366 (2007). The lack of a timely notice mandates dismissal of the appeal. *Robbins v. Maggio*, 750 F.2d 405, 408 (5th Cir. 1985).

APPEAL DISMISSED.

United States Court of Appeals

FIFTH CIRCUIT
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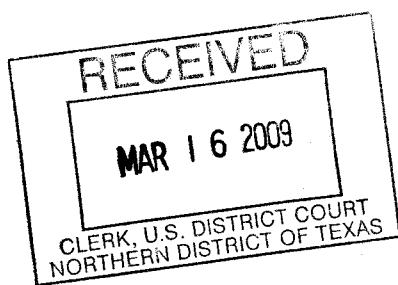
CHARLES R. FULBRUGE III
CLERK

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March 04, 2009

Ms. Karen S. Mitchell
Northern District of Texas, Dallas
United States District Court
1100 Commerce Street
Earle Cabell Federal Building
Room 14A20
Dallas, TX 75242

No. 09-10085, Winningham v. The Crown, et al
USDC No. 3:08-CV-1204



Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

Gina Randazzo Martin

By: _____

Gina Randazzo Martin, Deputy Clerk
504-310-7687

cc: w/encl:

Mr. Glenn Winningham

Form Name: Mandate Issued - MDT-1 (!ag,tax,img)